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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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APR 30 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Implementation of the Subscriber Carrier)
Selection Changes Provisions of the)
Telecommunications Act of 1996)
) CC Docket No. 94-129
Policies and Rules Concerning)
Unauthorized Changes of Consumers)
Long Distance Carriers)
_____)

COMMENTS OF SPRINT CORPORATION

Sprint Corporation ("Sprint"), pursuant to Section 1.429 of the Commission's Rules, 47 C.F.R. §1.429, hereby respectfully submits its comments on the petitions filed by AT&T and WorldCom for limited reconsideration or clarification of the *Third Report and Order*, 15 FCC Rcd 15996 (2000) (*Third Report*) as clarified on the Commission's own motion by *Order*, FCC 01-67 (released February 22, 2001) (*Clarification Order*) in the above-captioned docket.

The reconsideration requests of WorldCom and AT&T, like the one requested by Sprint in its reconsideration petition, are necessary to ensure that the Commission's slamming rules do not have any untoward effects. WorldCom, for example, explains that the rule requiring wireline and fixed wireless local exchange carriers ("LECs") to report the number of all accusations of slamming they receive from subscribers as well as the identities of the carriers against whom such accusations are lodged will invariably produce misleading information. Moreover, the fact that the Commission will make such dubious reports available for public inspection in order to publicly embarrass the accused

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carrier “is a reckless disregard for the company’s goodwill” and “may be unjust.”

Petition at 4. Thus, WorldCom agrees with Sprint that this particular reporting requirement must be eliminated.

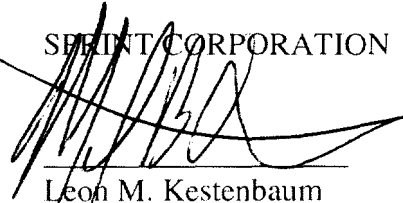
AT&T is also concerned that certain of the Commission’s rules adopted in the Third Report “are likely to have clearly unintended consequences that will not increase consumer protection and will needlessly impose burdens and inconvenience upon both consumers and carriers providing service to those subscribers.” Petition at 1-2. Sprint agrees. AT&T is clearly correct that it makes little sense to apply the 60-day LOA “sunset” provision to the LOAs of large typically multi-line, multi-location business customers. *Id.* at 3. Because these sophisticated customers are receiving services pursuant to multi-year contracts negotiated with their chosen carriers, the need for LOAs is basically superfluous. The contract itself provides the necessary evidence that the carrier has submitted the customer’s ANIs to the LEC with the approval of the customer. Nonetheless, a carrier requires its large business customers to sign LOAs because the FCC verification rules do not exempt customers that subscribe to a carrier’s service on the basis of an individually negotiated contract as opposed to a generic mass market offering. These LOAs typically cover all ANIs submitted by the carrier on behalf of the business customer during the life of the contract. It simply elevates form over substance and wastes resources if every sixty days the carrier had to obtain newly signed LOAs from its business customers. AT&T’s request to exempt large business customers taking services on the basis of individually negotiated contracts from the requirement that they have to renew their LOAs every sixty days is reasonable and should be granted.

AT&T also requests that the Commission correct what AT&T refers to as a “serious and wholly unnecessary discrepancy between the contents of LOAs and third party verification calls...” Petition at 4. Specifically, AT&T interprets the language set forth in Section 64.1120(c)(3)(iii) of the Rules that third party verifiers obtain “the names of the carriers affected by the change” as requiring the verifier to obtain the name of the carrier from whom the customer is transferring its service. Although the language of concern to AT&T is, unfortunately, less than clear, Sprint does not believe that such language imposes the requirement that the verifier obtain the name of the customer’s current presubscribed carrier. The Commission states that the information gathered through the third party verification process should mirror the information set forth in an LOA. *Third Report*, 15 FCC Rcd at 16016 (¶40). As AT&T points out, the LOA requirement has been in existence for over 15 years and during that time the Commission has never required that the LOA include the identity of the customer’s current presubscribed carrier. There is a good reason for this. Even if the customer accurately remembered the name of his/her current carrier -- and AT&T explains that this is not often the case -- the information itself is superfluous. The executing carrier already knows the name of the customer’s current carrier. In any event, nowhere in the *Third Report* does the Commission explain why it is necessary for the third party verifier to obtain the identity of the customer’s current carrier or otherwise discuss the issue. Thus, Sprint’s believes that the only reasonable interpretation of such language is that the verifier simply ensure that the customer confirms that the customer has agreed to change his/her presubscribed carrier to the submitting carrier and the submitting carrier is authorized to inform the executing carrier of the change. Nonetheless it may be helpful

to remove the offending language from the rule so as to remove any lingering doubt that the information obtain through third party verification and on the LOA is the same.

Respectfully submitted,

~~SPRINT CORPORATION~~

A handwritten signature in black ink, appearing to read 'Leon M. Kestenbaum', is written over the 'SPRINT CORPORATION' text and extends below it.

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April 30, 2001

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **COMMENTS OF SPRINT CORPORATION** was sent by hand or by United States first-class mail, postage prepaid, on this the 30th day of April, 2001 to the below-listed parties:


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